

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JEREMY WILSON,

Plaintiff,

v.

Case No.: 2:18-cv-692-FtM-38MRM

RELIANT REAL ESTATE
MANAGEMENT, LLC,

Defendant.

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OPINION AND ORDER¹

Before the Court is United States Magistrate Judge Mac R. McCoy's Report and Recommendation (R&R) ([Doc. 36](#)), recommending the Court deny the parties' Joint Motion to Review and Approve FLSA Settlement Agreement ([Doc. 35](#)). No party objected to the R&R, and the time to do so has passed.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. See [28 U.S.C. § 636\(b\)\(1\)](#); see also *Williams v. Wainwright*, [681 F.2d 732 \(11th Cir. 1982\)](#). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, *Garvey v. Vaughn*, [993 F.2d 776, 779 n.9 \(11th Cir. 1993\)](#), and the court may accept, reject, or modify, in whole or in part, the findings and recommendations. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). The district

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judge reviews legal conclusions *de novo*, even in the absence of an objection. See [Cooper-Houston v. Southern Ry. Co.](#), 37 F.3d 603, 604 (11th Cir. 1994).

Judge McCoy found the monetary terms in the parties' proposed settlement to be a fair and reasonable resolution of their bona fide dispute. But the proposed settlement also contains a general release of all claims Wilson may have against Reliant. Because the parties did not attempt to justify the release, Judge McCoy recommends that the Court deny the Motion without prejudice and order the parties to file an amended joint motion to address the issue. After careful consideration of the R&R and an independent review of the file, the Court accepts and adopts the R&R.

Accordingly, it is now


ORDERED:

United States Magistrate Judge Mac R. McCoy's Report and Recommendation (R&R) ([Doc. 36](#)) is **ACCEPTED and ADOPTED**.

(1) The parties' Joint Motion to Review and Approve FLSA Settlement Agreement ([Doc. 35](#)) is **DENIED without prejudice**.

(2) The parties may file an amended joint motion to approve the settlement on or before **April 6, 2020**.

DONE and ORDERED in Fort Myers, Florida this 23rd day of March, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record